

U.S. Department of Justice

**MEMO ENDORSED***United States Attorney
Southern District of New York**The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

February 6, 2008

Via Facsimile

The Honorable Denny Chin
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

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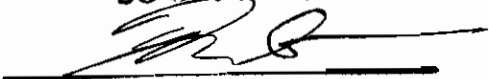
**Re: *United States v. Jason Smith*
08 Cr. 84 (DC)**

Dear Judge Chin:

I understand from your courtroom deputy that the arraignment and initial pretrial conference in the captioned case, which was scheduled for today, February 6, 2008, at 10:00 a.m., has been rescheduled for Friday, February 8, 2008, at 2:00 p.m., due to the unavailability of the defendant at today's proceeding. I write to request that time be excluded under the Speedy Trial Act from today until February 8, 2008, to permit the Government to prepare discovery for review by the defendant. The defendant, through counsel, consents to this request.

Respectfully submitted,

**APPLICATION GRANTED.
SO ORDERED**


Denny Chin, U.S.D.J.
2/7/08

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: 

Howard S. Master
Assistant United States Attorney
212-637-2248

cc: Dierdre Von Dornum, Esq.